



A guide to Reciprocal Enforcement of Maintenance Orders

Reciprocal enforcement of maintenance orders (REMO) is a system where:

- UK residents can apply to enforce or change an existing maintenance order or make a new maintenance order against a person resident in another country; or
- Residents of other countries can enforce or change an existing maintenance order or make a new maintenance order against a person resident in the UK.

The information in this leaflet applies to applicants who live in England or Wales. For information about the REMO process in the rest of the UK, or if you live outside the UK and want to claim maintenance from a person living in England or Wales, please see the end of this leaflet for further information.

Who can I claim from?

In most instances applications for reciprocal enforcement are made by a parent who has an order for child maintenance on behalf of their child or children. However, it is possible for an adult or child to apply to get maintenance from a parent, or for a person to claim spousal maintenance from a former partner. If you are owed money you are the 'creditor'. The person from whom you are applying to get maintenance is the 'debtor'.

Which countries are covered?

The UK currently has an agreement to enforce maintenance with more than 100 countries and territories worldwide. A complete list of countries or territories can be found on GOV.UK, www.gov.uk/government/publications/countries-where-you-can-enforce-child-maintenance-decisions

If your ex-partner doesn't live in one of the REMO countries, you may still be able to enforce a decision in the country where they live. You should seek legal advice from a solicitor in the country where your ex-partner lives. A list of lawyers is available on GOV.UK, www.gov.uk/government/collections/list-of-lawyers

How much will it cost?

The administrative process in enforcing maintenance orders overseas is usually free of charge.

Do I need a solicitor?

No. You can make your application directly without using a solicitor. However please note that you may require legal representation abroad.

How do I make an application?

If you or your children have an order for maintenance or want to get an order for maintenance against a person who now lives in another country or territory that has a REMO arrangement with the UK, you can apply to get the maintenance from them using the REMO process.

A UK resident who wishes to apply for maintenance from a person overseas should contact the relevant HM Courts & Tribunals Service Maintenance Enforcement Business Centre (MEBC) listed below. They will send you the appropriate form for the country where the debtor resides.

	Phone	Email address
Wales	01656 673833	Wales_MEBC@hmcts.gsi.gov.uk
England (except London)	0300 123 3034	MEBC.BSE@hmcts.gsi.gov.uk
London	020 7421 8657	MEBC.London@hmcts.gsi.gov.uk

You should return the completed application form to the appropriate MEBC. Based on the information you provide in your application the MEBC will decide on the appropriate next steps, which may involve a hearing at a Family Court.

The application will then be sent to the REMO unit, which is the unit in the Ministry of Justice responsible for sending your application to the authorities in the other country. Once the foreign authorities receive your application they will handle it according to the laws and regulations in their country.

Further information and guidance is available online www.gov.uk/child-maintenance-if-one-parent-lives-abroad/paying-parent-lives-abroad

I don't have contact details for the respondent

You should give as much information as you can in your application about where the respondent is living. If the country in which the respondent lives is legally able to do so, it will attempt to trace the respondent on your behalf.

Financial checks and disclosure of information

Financial and personal information held by public administrative authorities may be collected and used by REMO unit and the courts when they consider your case.

You must contact the relevant HM Courts & Tribunals Service Maintenance Enforcement Business Centre (MEBC) or the REMO unit if there is any sensitive information you do not want disclosed, e.g. current address

Do I need to get the documents translated?

No. If documents require translation, the REMO unit will arrange for the translation to be done at no cost to you.

What happens after the application is sent to the REMO Unit?

The REMO unit will process your application within 30 days of receipt. However, once your application is sent to the foreign authorities, it will be dealt with according to the laws and procedures of that country, which could take a number of months. The courts in England and Wales, and the REMO unit, do not have any power to compel foreign courts or authorities to enforce maintenance orders, or to set a timescale for enforcement of a maintenance order or establishment of a maintenance claim. If your application is sent to another EU country, or Albania, Bosnia and Herzegovina, Norway or Ukraine, the reciprocal agreements contain timetables with which the courts and authorities should comply.

How do I request an update on my application?

You should be able to get an update within two months from the date of receipt of acknowledgement from the Foreign Authority if your application has gone to an EU country, or to Albania, Bosnia and Herzegovina, Norway or Ukraine. Otherwise you should allow three months before requesting your first update. The REMO unit will provide updates to the court as they are received from the foreign country. You can ask the relevant MEBC to contact the REMO unit to request a report from the other country about the progress of your case at any time.

Further help

For assistance and advice on any aspect of getting maintenance from someone living abroad, please contact the relevant MEBC or the REMO unit.

REMO unit contact details

Official Solicitor and Public Trustee
Victory House
30-34 Kingsway
London
WC2B 6EX
Phone: 020 3681 2757
From outside the UK: +44 20 3681 2757
Email: remo@offsol.gsi.gov.uk
Website: www.gov.uk/remo-unit-helpline

For information about REMO in Scotland and Northern Ireland, please use the links below:

Scotland

www.scotland.gov.uk/Topics/Justice/law/17867/fm-children-root/maintenance

Northern Ireland

<http://www.nidirect.gov.uk/reciprocal-enforcement-of-maintenance-orders>

Non-UK residents

If you live outside the UK and want to apply for the enforcement of maintenance from a person living in England or Wales you will need to contact the authorities where you are living and ask about making an application for the reciprocal enforcement of maintenance orders.

Child Maintenance Service or Child Support Agency (CSA)

The Child Maintenance Service or Child Support Agency may be able to help if the person now living abroad is:

- a UK civil servant
- working for Her Majesty's Diplomatic Service
- a member of the Armed Forces
- working for a company that is based and registered in the UK, or working on secondment for a 'prescribed body', like a regional health authority or local authority.

Further details are available on GOV.UK, www.gov.uk/child-maintenance/overview